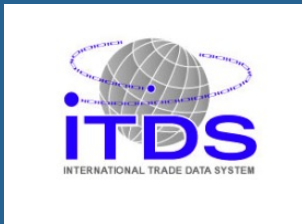


**NOAA  
FISHERIES**



# National Marine Fisheries Service International Trade Data System (ITDS) Implementation Rule

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January 26, 2016

# Overview of Presentation

Introduction to ITDS - 5 Min

Overview of the 3 NMFS programs proposed for ITDS integration - 5 Min

Description of transition from current entry processing to future in ITDS - 15 min

- Consolidated trade permit
- Message set requirements
- DIS requirements
- Entry processing in ACE

Responsibilities under new protocols - 5 Min

- Importer of record
- Entry filer
- Software developer
- Need for pilot testing of Message Set and DIS for all 3 programs

Q&A - 30 Min

# Why is the International Trade Data System Required for NMFS?



Customs Modernization Act (1993) – established national customs automation program: ACE/ITDS

SAFE Port Act (2006) – mandates ACE/ITDS participation by all agencies for admissibility decisions



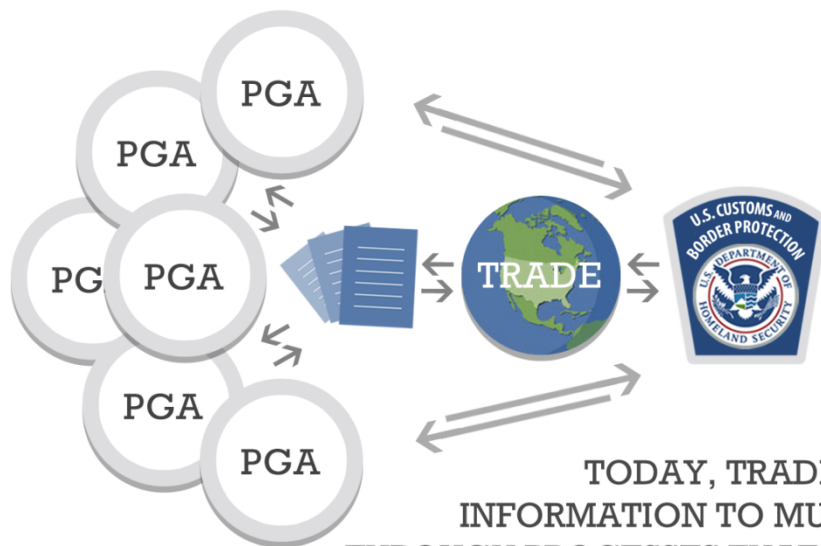
Executive Order of February 19, 2014 – Streamlining the Export-Import Process: single window by December 2016

US imports ~ 90% of seafood, several products and/or nations subject to monitoring/embargoes

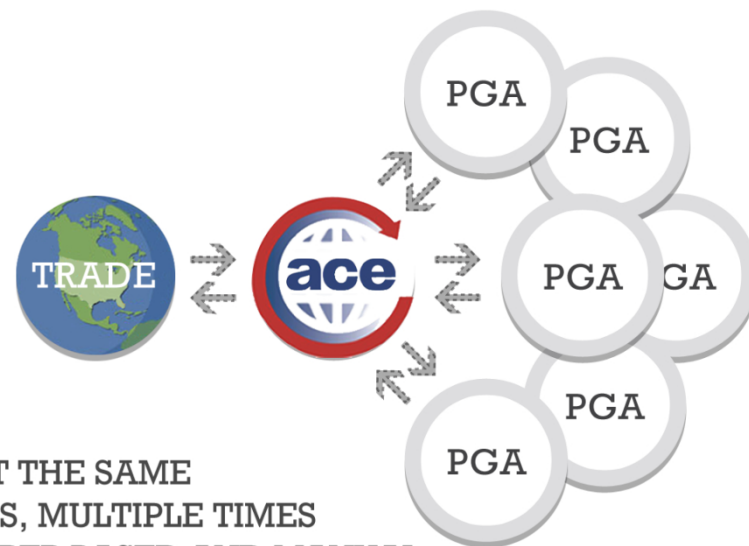


# ITDS Model – Paperless/Single Window

## CURRENT FLOW OF INFORMATION



## SINGLE WINDOW VISION



TODAY, TRADERS MUST SUBMIT THE SAME INFORMATION TO MULTIPLE AGENCIES, MULTIPLE TIMES THROUGH PROCESSES THAT ARE LARGELY PAPER BASED AND MANUAL.  
**THE SINGLE WINDOW WILL STREAMLINE THIS PROCESS.**





# The CBP ACE Countdown

<http://www.cbp.gov/trade/automated/ace-mandatory-use-dates#novdate>

## ACE Mandatory Use Dates

CBP deploying core capabilities in ACE by December 2016, as required by Executive Order. Critical for trade community to understand how they are affected and to prepare accordingly. CBP encouraging early transition to ensure readiness in advance of the mandatory dates.

**Mandatory use of ACE for all electronic manifest filing.**



**Mandatory use of ACE for all electronic entry and entry summary filing.**



Transition period begins: ACE filing of electronic entry and associated entry summary types 01, 11, 03, 51, 52 with or without PGA data is encouraged.



ACE must be used and ACS will no longer be available for filing of all electronic entries and associated entry summaries. In addition, electronic FDA, NHTSA, APHIS (Lacey) data must be filed in ACE and ACS will no longer be available.



Upon publication of the Final Rule, ACE must be used for filing AMS, APHIS Core, ATF, CDC, DCMA, DDTC, DEA, E&C, EPA, FSIS, FWS, NMFS and TTB data.

Hybrid submissions will no longer be allowed.

**Mandatory use of ACE for all remaining electronic portions of the CBP cargo process.**



# Proposed Rule for NMFS ITDS

1. NMFS will use the ACE/ITDS Single Window for collecting data at entry
2. Three existing paper-based programs will be converted: HMS, AMLR, TTVP
3. Importer Permit Required; Data collected at entry via message set and document imaging system (DIS)



# Three NMFS Message Set Programs

- Highly Migratory Species (e.g., tunas, swordfish)
- Antarctic Marine Living Resources (AMLR)
- NOAA 370 Tuna Tracking & Verification Program (TTVP) – Dolphin Protection / product labeling (Import only program)

These programs “cover” approximately 35 HTS codes. All other marine products imported and exported (over 700 HTS codes) do not require an international trade permit nor the submission of additional filing information (message set or digital imaged documents) beyond that which Customs or Census may otherwise already require.

*(As part of a separate action, the Presidential Task Force on Combating Illegal Fishing and Seafood Fraud has recommended additional products for monitoring.)*



# Primary Products Covered by the Programs

- Tunas – Both HMS and NOAA 370 Programs
  - Swordfish – HMS Program
- Toothfish - Antarctic Marine Living Resources

Currently, paper documents are submitted post-release directly to NMFS. The documents attest to the circumstances and conditions of the harvest event.

The NOAA Form 370 program is also used to screen yellowfin tuna imports if originating from or harvested by embargoed countries.

Under ITDS, most shipments of the three product groups above will require filing of the NMFS “Message Set” in ACE and supplemental documents through “DIS”.



# The Proposed Rule

1. Transition to electronic import/export filing via the ACE “single window”
2. Utilize ACE PGA Message Set to collect data necessary to facilitate an electronic (automated) authorization decision for product/shipment release.
3. Utilize the CBP Data Imaging System (DIS) to collect the NMFS required international forms and eliminate the collection of all paper forms.
4. Utilize Interoperable Web Services (IWS) to automate system to system communications necessary for import and export authorizations.
5. Utilize Secure File Transfer Protocol (SFTP) to receive CBP data collected on NMFS monitored products.
6. Consolidate NMFS trade permits and utilize an electronic system to facilitate timely permit acquisition and automated permit validation.



# NOAA HMS Program; Requirements Continued

PG-01	Electronic Image Submitted	<i>"Y" indicates an image will be included ( blank for shark fins only – no image required)</i>
PG-01	Confidential Information Indicator	<i>"Y" indicates the info is confidential</i>
PG-02	Item Type	<i>"P" = Product (Product vs. component)</i>
PG-06	Source Type Code	<i>Country role; e.g. "Harvesting Country"</i>
PG-06	Geographic location ( <i>filer must provide the ocean area or areas where the shipment originated/was harvested</i> )	<i>Ocean Geographic Area Codes Use valid codes for the ocean area of catch example; North Atlantic from appendix PGA.</i>
PG-06	Processing Type Code	<i>The fishing vessel's harvesting gear type (see code list)</i>
PG-14	Licenses, Certificates, Permits or Other (LCPO)	<i>Must show the license type as "NM3" and the NMFS HMS permit number for the importer of record– (NMFS HMS International Trade Permit) This number is 7 digits, alpha/numeric w first two characters "SE"</i>
PG-22	Importers Signed Document	<i>"Y" indicates that the importer has a copy of the required document (none required for shark fins)</i>
PG-22	Document Identifier (may be repeated multiple time for multiple documents)	<i>Include the code from the Appendix PGA for each of the specific document(s) images submitted via the Document Imaging System. At least one of the Catch, Statistical or Re-export documents listed above is required for all imports, exports or re-exports of HMS products except for shark fins. The document required is determined by the regulatory parameters involving the particular species (HTS), ocean harvest area and export/re-export status. These documents must be submitted at the time of the filing to CBP via the Document Imaging System/DIS.</i>
PG-22	Compliance Description (may be repeated multiple time for multiple documents)	<i>Enter the unique/specific number that appears on every document submitted via the DIS. This is the specific "serialized" number assigned to the individual reporting form for that specific harvest. (The unique number is entered in positions 51 through 80 and must correspond to the document identifier for each PG Record 22 in positions 6-12) (There are 30 characters to utilize in space 51 through 80.)</i>
PG-31	Commodity Harvesting Vessel Character Type Code	<i>Flag(Country) of the harvest vessel (two digit ISO code from appendix B)</i>







# Toothfish Program; Requirements Overview

NMFS Antarctic Marine Living Resources (AMLR) Program Requirements (Primarily Fresh or Frozen Toothfish Imports)		
General NMFS Requirements and Restrictions	Consult CBP resources to determine which products/Harmonized Tariff Schedule (HTS) codes are regulated by the National Marine Fisheries Service. See also the Federal Register, United States Code (USC), and Code of Federal Regulations (CFR.)	
	An NMFS AMLR Permit is Required for all toothfish imports	Permits can be obtained at <a href="http://www.xxxx.gov">www.xxxx.gov</a>
	All <b>Fresh</b> toothfish must be accompanied by Dissostichus Catch Documents (DCD)	(almost all fresh product is air shipped)
	All <b>Frozen</b> toothfish <b>requires NMFS Pre-Approval</b>	
Document Images Required	DCDs for all fresh toothfish	
Mandatory PG-Records	PG-OI	Commercial Description of Shipment (product)
	PG-01	Partner Government Agency (PGA)
	PG-02	Designation of items as “product” or “component”
Conditional PG-Records required by NMFS	PG-06	Ocean Area of Catch
	PG-14	Permit & Authorizing Document Data (toothfish pre-approval number)
	PG-17	Species Description
	PG-31	Harvest Vessel Flag Country (Vessel Name & Length Overall if required)







# NOAA 370 Program; Requirements Overview

NMFS Tuna Tracking and Verification Program (TTVP / NOAA 370) Import Requirements (Processed or Frozen Tuna Imports; includes all tuna <i>except</i> fresh tuna)		
General NMFS Requirements and Restrictions	Consult CBP resources to determine which products/Harmonized Tariff Schedule (HTS) codes are regulated by the National Marine Fisheries Service. See also the Federal Register, United States Code (USC), and Code of Federal Regulations (CFR.) (370 program is not required/applicable to fresh tuna)	
	NMFS International Trade Permit (ITP) Required ( <i>future – pending rule making</i> )	
	Note: For <u>all</u> Bluefin tuna and all frozen Big Eye tuna, see <u>also</u> NMFS HMS program for additional requirements	
Document Images Required	Images of NOAA 370 Fisheries Certificate(s) of Origin, including <u>all/multiple</u> copies of the 370 as necessary to document the harvest of <u>all</u> products in the shipment per section 4 of the Certificate.	
	All supplemental certifications (statements) attesting to the circumstances pertaining to the harvest per section 5 of the Certificate(s)	Potential supplemental/conditional certifications include; <ul style="list-style-type: none"> <li>• High Seas Driftnet</li> <li>• Captain's</li> <li>• Observer's</li> <li>• International Dolphin Conservation Program (IDCP) Member Nation Statement</li> </ul>
Mandatory PG Records	PG-01	Commercial Description of Shipment (product)
	PG-01	Partner Government Agency (PGA)
	PG-02	Designation of items as “product” or “component”
Conditional PG-Records required by NMFS	PG-06	Ocean Area of Catch and Gear Type
	PG-14	Permit Information (future requirement)
	PG-17	Species Description
	PG-22	Document Identifier (NMFS form names and unique document numbers) for all imaged documents
	PG-31	Harvest Vessel Flag Country (Vessel Name & Length Overall if required)



[illegible]

PG Record elements:

PG 01- This product/shipment is canned tuna, the form is a 370, an image is attached and information is confidential. The product is intended for human consumption.

PG 06 – The product was harvested on the high seas in the Western Pacific ocean. Purse Seine gear was used to harvest the tuna.

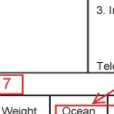
PG 14- There *will potentially be a future requirement* for a Fisheries International Trade Permit issued by NMFS. The permit number must be provided with the expiration date.

PG 17- the specific tuna is skip jack and other species and the common name is canned light meat tuna

PG-22- A NOAA, NMFS Form 370 (code 877) must accompany this shipment and box 5B2 is checked on the form therefore a Captains Statement must also be attached via DIS.

PG-22- A Captains Statement has also been included via DIS

PG-31-Vessel Country (VCR) (flag) is Japan (JP)

NOAA Form 370 NMFS 2646-0335 APPROVAL EXPIRES: October 31, 2013 U.S. DEPARTMENT OF COMMERCE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION NATIONAL MARINE FISHERIES SERVICE	<h2 style="margin: 0;">Fisheries Certificate of Origin</h2> 	1. Customs Entry Identification Number  Customs Entry Number (11 digits)  Date of Entry
2. Exporter (Name and Address)	3. Importer (Name and Address)	
Telephone Number:	Telephone Number:	
4. DESCRIPTION OF FISH <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 35%;">           U.S. Tariff Schedule Number            Species Description, and Product Form         </div> <div style="width: 15%;">Weight (kg)</div> <div style="width: 15%;">Ocean Area</div> <div style="width: 15%;">Fishing Gear</div> <div style="width: 15%;">Vessel Flag</div> <div style="width: 15%;">Trip Dates Begin-End</div> <div style="width: 15%;">Vessel Name</div> </div>		
5. DOLPHIN SAFE STATUS - check the statement that applies. <div style="margin-top: 10px;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <b>A</b> The tuna or tuna products described herein are not certified to be dolphin safe and contain no marks or labels that indicate otherwise.           </div> <div style="width: 60%;"> <input type="checkbox"/> </div> </div> <div style="margin-top: 10px;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <b>B</b> The tuna or tuna products described herein are certified to be dolphin safe:           </div> <div style="width: 60%;"> <input checked="" type="checkbox"/> </div> </div> <div style="margin-top: 10px;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;">             (1) Tuna not harvested with a purse seine net, and not harvested in any fishery that has been identified by the Assistant Administrator as causing a regular and significant mortality or serious injury to dolphins.           </div> <div style="width: 60%;"> <input type="checkbox"/> </div> </div> <div style="margin-top: 10px;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;">             (2) Tuna harvested using a purse seine net outside the Eastern Tropical Pacific Ocean (ETP), with valid documentation by the captain of the vessel certifying that no purse seine net was intentionally deployed on or to encircle dolphins during the fishing trip.           </div> <div style="width: 60%;"> <input checked="" type="checkbox"/> </div> </div> <div style="margin-top: 10px;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;">             (3) Tuna harvested by purse seine vessel outside the ETP in a fishery in which there is a regular and significant association occurring between marine mammals and tuna, with valid documentation by an authorized observer and the captain of the vessel, certifying that no purse seine net was intentionally deployed on or to encircle dolphins during the fishing trip and no dolphins were killed or seriously injured in the sets in which the tuna were caught.           </div> <div style="width: 60%;"> <input type="checkbox"/> </div> </div> <div style="margin-top: 10px;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;">             (4) Tuna harvested in the ETP by a purse seine vessel having a carrying capacity of 400 short tons (362.8mt) or less.           </div> <div style="width: 60%;"> <input type="checkbox"/> </div> </div> <div style="margin-top: 10px;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;">             (5) Tuna harvested in the ETP by a purse seine vessel of more than 400 short tons (362.8mt) carrying capacity with valid documentation signed by a representative of the appropriate IDCP-member nation certifying that: (1) there was an IDCP-approved observer on board the vessel during the entire trip; (2) no purse seine net was intentionally deployed on or to encircle dolphins during the fishing trip and no dolphins were killed or seriously injured in the sets in which the tuna were caught; (3) listing the numbers for the associated Tuna Tracking Forms which contain the captain's and observer's certifications.           </div> <div style="width: 60%;"> <input type="checkbox"/> </div> </div> </div> </div> </div></div></div></div></div>		
6. EXPORTER CERTIFICATION - I certify that the above information is complete, true, and correct to the best of my knowledge and belief. <div style="margin-top: 10px;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">           Exporter Name (Print or Type)         </div> <div style="width: 55%;">           Signature and Date:         </div> </div> </div>		
7. HIGH SEAS DRIFTNET CERTIFICATION - For fish or fish products harvested by, or exported from, a designated large-scale driftnet nation. I attest that the fish or fish products described herein were not harvested by a large-scale driftnet on the high seas. <div style="margin-top: 10px;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">           Name and title of Government Representative (Print or Type)         </div> <div style="width: 55%;">           Signature and Date:         </div> </div> </div>		
8. IMPORTER/PROCESSOR ENDORSEMENT <div style="margin-top: 10px;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">           (Name and Address)         </div> <div style="width: 55%;">           Signature and Date:         </div> </div> <div style="margin-top: 10px;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">           (Name and Address)         </div> <div style="width: 55%;">           Signature and Date:         </div> </div> <div style="margin-top: 10px;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">           (Name and Address)         </div> <div style="width: 55%;">           Signature and Date:         </div> </div> </div> </div></div>		



# Responsibilities Under New Protocols

- Importer of Record: Obtain Fisheries International Trade Permit and provide data/documents to customs broker
- Entry Filer: submit data and documents via ACE and DIS
- Software Developer: certify message set software in ACE

➡ Immediate need for pilot testing of Message Set and DIS for all 3 programs; contact CBP client representatives



# Resources and Comments

## ITDS web links -

[http://www.nmfs.noaa.gov/ia/slider\\_stories/2015/12/itds\\_proposed\\_rule.html](http://www.nmfs.noaa.gov/ia/slider_stories/2015/12/itds_proposed_rule.html)

<http://www.itds.gov/xp/itds/tsn/index.html>

<http://www.cbp.gov/trade/ace/catair>

## Comments on Rule—

<http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2009-0124>

or search on [www.regulations.gov](http://www.regulations.gov) for “0648-AX63”

## Pilot Testing –

<http://apps.cbp.gov/csms/viewmssg.asp?>

[Recid=20771&page=&srch\\_argv=15-000344&srchtype=all&btype=&sortby=&sby=](http://apps.cbp.gov/csms/viewmssg.asp?Recid=20771&page=&srch_argv=15-000344&srchtype=all&btype=&sortby=&sby=)







*Questions and Comments? Contact:*

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